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EXAMINER

PM82/0214

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BLANKENSHTP, G
ART UNIT PAPER NUMBER

3612

DATE MAILED:

02/14/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/488,322

Applicant(s)

Canni;Shields;Krapfl

Examiner

Greg Blankenship

Group Art Unit

3612

 Responsive to communication(s) filed on Jan 9, 2001 This action is **FINAL**. Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

 Claim(s) 1-23 is/are pending in the application.Of the above, claim(s) 10, 11, and 18-23 is/are withdrawn from consideration. Claim(s) _____ is/are allowed. Claim(s) 1, 7-9, and 12 is/are rejected. Claim(s) 2-6 and 13-17 is/are objected to. Claims _____ are subject to restriction or election requirement.

Application Papers

 See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. The drawing(s) filed on _____ is/are objected to by the Examiner. The proposed drawing correction, filed on _____ is approved disapproved. The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

 Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). All Some* None of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) _____. received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

 Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No(s). 4 Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Page 8, line 5, "modules 64 are" should be --module 64 is";

Page 11, line 22, "cavity" should be --the storage cavity 158--.

Appropriate correction is required.

Claim Objections

2. Claim objected to because of the following informalities:

Claim 5, line 2, --at-- should be added between "the" and "least".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Falcoff et al. (5,020,845).

Falcoff et al. discloses an overhead console assembly (5) comprising a first console housing (35), a second console housing (45), a center console housing (20 in Figs. 3,4), and at least one accessory module (50). The at least one accessory module (50) is removably secured to

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the center console housing (20) by using a securing member (125) that engages securement surface (130). Accessory module (50) is used to store materials like garage door opener (55); therefore, it is a housing with a storage area. The center console housing (20) has an upper surface that is flush with the roof (30), which is the structural member of the headliner (25). The first and second console housings (35, 45) are connected by sidewalls (A, see attachment) that extend vertically from the upper surface of the center console housing (20). The first console housing (35) and the center console housing (20) are formed integrally.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falcoff et al. (5,020,845).

Falcoff et al. does not disclose the integral forming of the overhead console housing into the structural member of the roof.

It is well established that making separate components as an integral component is not considered patentable, and since one skilled in the art would find it obvious to reduce the amount or number of components to be manufactured for ease of installation.

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7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koshida et al. (6,065793) in view of Suman et al. (5,040,990).

Koshida et al. discloses an overhead console assembly (5) having a first console housing (A, see attachment), a second console housing (B, see attachment), and a center console housing having an accessory module (C, see attachment). The first and second console housings (A,B) are disposed on the inner surface of the headliner (8). The accessory module (C) is disposed on rails (14) that extend from first and second console housings (A,B). The entire assembly (5) is selectively positioned on the rails (14). The housings (A,B,C) are attached to the rails (14) by securing members (15). However, it is not disclosed that accessory module is removable.

Suman et al. teaches use of modular accessory components (34) in an overhead console assembly (20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the accessory module of Koshida et al. a removable component, as taught by Suman et al., to allow the vehicle passengers to customize the overhead console to their specific needs.

Allowable Subject Matter

8. Claims 2-6 and 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

9. Claims 10, 11, and 18-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 7. The Examiner has added claims 10 and 11 to the non-elected claims since they only read on the non-elected invention shown in Figures 3-5.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Blankenship whose telephone number is (703) 305-0223.

Any response to this action should be mailed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications intended for entry)

or:

(703) 308-3297, (for informal or draft communications, please clearly label "FOR DISCUSSION PURPOSES ONLY", "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to:

Crystal Park 5, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor,

(Receptionist)

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February 8, 2001

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STEPHEN T. GORDON
PRIMARY EXAMINER